

The court incorporates by reference in this paragraph and adopts as the findings and orders of this court the document set forth below. This document was signed electronically at the time and date indicated, which may be materially different from its entry on the record.



  
Russ Kendig  
United States Bankruptcy Judge

Dated: 10:42 AM December 5, 2019

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

IN RE:	)	CHAPTER 13
	)	
EDWARD A. GIVENS,	)	CASE NO. 19-41680
	)	
Debtor.	)	JUDGE RUSS KENDIG
	)	
	)	<b>ORDER OVERRULING</b>
	)	<b>OBJECTION TO CLAIM #5</b>
	)	

Debtor objected to proof of claim number five (#5) filed by Seven Seventeen Credit Union. Through the objection, he seeks an order disallowing the claim because his ex-wife is paying the debt.

The court declines to sign the order. Debtor has not set forth a legally cognizable foundation for disallowance of a properly filed claim on which Debtor is liable. 11 U.S.C. § 502; In re Diehl, Case No. 18-60608 (Bankr. N.D. Ohio 2018). Debtor may propose not to pay a valid claim through the plan but that does not make the claim less valid, nor subject it to disallowance. The treatment of an allowed claim, how or if it will be paid, is determined by the terms of the plan. In re Dawson, 444 B.R. 688, 690 (Bankr. E.D. Va. 1998). The objection is therefore **OVERRULED**.

It is so ordered.

# # #

**Service List:**

Maurice E. Graham  
Graham & Associates Law Offices, LLC  
333 S. Main Street Suite 601  
Akron, OH 44308-1228

Seven Seventeen Credit Union, Inc.  
3181 Larchmont Ave., N.E.  
Warren, OH 44483

Michael A. Gallo  
5048 Belmont Avenue  
Youngstown, OH 44505